

**LEGISLATIVE COUNSEL**  
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III

**AMENDMENT NO. 1969**

Purpose: To provide for the making of certain payments out of assets of the Government of Iran blocked by the President.

IN THE SENATE OF THE UNITED STATES—96th Cong., 2d Sess.

**H. R. 6086**

To provide for the settlement and payment of claims of United States civilian and military personnel against the United States for losses resulting from acts of violence directed against the United States Government or its representatives in a foreign country or from an authorized evacuation of personnel from a foreign country.

August 6 (legislative day, June 12), 1980

Referred to the Committee on the Judiciary and ordered to be printed

AMENDMENT intended to be proposed by Mr. DOLE (for himself, Mr. LUGAR, Mr. HEFLIN, Mr. COHEN, and Mr. SCHMITT)

Viz: On page 4, immediately below line 9, insert the following:

1        SEC. 3. (a) All right, title, and interest of the Govern-  
2   ment of Iran in all assets which were blocked by Executive  
3   Order 12170 of November 14, 1979, shall be transferred to  
4   the Government of the United States.

5        (b)(1) There is established in the Treasury of the United  
6   States a special fund to be designated as the Iranian Claims  
7   Fund (hereafter in this section referred to as the "Fund").

8        (2) The Secretary of the Treasury shall cover into the  
9   Fund assets described in subsection (a) and may liquidate any

1 part of such assets as may be necessary for transfer into the  
2 Fund.

3 (c)(1) The Secretary of the Treasury, out of sums cov-  
4 ered into the Fund, shall pay to—

5 (A) each citizen or national of the United States  
6 taken hostage in Iran on November 4, 1979, except as  
7 provided in paragraph (2), or

8 (B) the estate of such citizen or national if such  
9 citizen or national is deceased,  
10 an amount equal to the product obtained by multiplying \$200  
11 by the number of days between November 4, 1979, and the  
12 date of enactment of this section that such citizen or national  
13 was held hostage as described in clause (A) and an amount  
14 equal to the product obtained by multiplying \$500 by the  
15 number of days after the date of enactment of this section  
16 that such citizen or national was held hostage as described in  
17 clause (A). Such payments shall not be subject to any Feder-  
18 al or State income tax.

19 (2)(A) If such citizen or national is held hostage at the  
20 time payments are to be made under this subsection, then  
21 such payments shall be made to—

22 (i) the spouse of such citizen or national;

23 (ii) the children of such citizen or national, in  
24 equal shares, if payments cannot be made under  
25 clause (i);

1 (iii) each parent of such citizen or national, in  
2 equal shares, if payments cannot be made under  
3 clauses (i) or (ii); and

4 (iv) each sibling of such citizen or national, in  
5 equal shares, if payments cannot be made under  
6 clauses (i), (ii), or (iii).

7 (B) Payments made under this paragraph shall be held  
8 in trust for the citizen or national so held hostage until such  
9 citizen or national returns to the United States.

10 (3) After making payments under paragraph (1) and  
11 after deducting, pursuant to subsection (d), administrative ex-  
12 penses related to such payments, the Secretary of the Treas-  
13 ury shall make payments to the estates of members of the  
14 uniformed services, as defined in section 101 of title 37,  
15 United States Code, who died after November 4, 1979, while  
16 in performance of duties in response to the taking hostage of  
17 United States citizens or nationals in Iran, as determined by  
18 the President and certified to the Secretary of the Treasury.

19 (d) There shall be deducted from the amount of each  
20 payment made pursuant to paragraphs (1) and (3) of subsec-  
21 tion (c) administrative expenses incurred by the United States  
22 in carrying out this section, but not to exceed an amount  
23 equal to 5 per centum of such payment.

24 (e) Subject to the provisions of any claims agreement to  
25 be entered into between the Government of the United States

1 and the Government of Iran, any payment made pursuant to  
2 this section shall not be construed as having divested any  
3 claimant or the United States on his behalf of any rights  
4 against the Government of Iran for the unpaid balance of his  
5 claim.

6 (f)(1) The district courts of the United States shall have  
7 original and exclusive jurisdiction of—

8 (A) any civil action by a citizen or national of the  
9 United States for a tort arising out of the taking or  
10 holding hostage of a citizen or national of the United  
11 States taken hostage in Iran on November 4, 1979;  
12 and

13 (B) any civil action brought by a citizen or nation-  
14 al of the United States against the Government of  
15 Iran, any agent of the Government of Iran, or any citi-  
16 zen or national of Iran arising out of a contract  
17 dispute.

18 (2) The Secretary of the Treasury is authorized, under  
19 such regulations as he may prescribe, to make available for  
20 the satisfaction of judgments rendered by the district courts  
21 pursuant to paragraph (1) amounts remaining in the Fund  
22 after payments have been made pursuant to subsection (c)  
23 and administrative expenses have been deducted pursuant to  
24 subsection (d).

1 (g) After the making of payments under subsection (c)  
2 have been completed, and after the Secretary of the Treasury  
3 reasonably determines that payments to satisfy judgments  
4 rendered by the district courts pursuant to paragraph (1) of  
5 subsection (f) have been completed and that further such pay-  
6 ments are unlikely, the President may order the balance of  
7 the Fund conveyed into miscellaneous receipts of the Treas-  
8 ury of the United States, or the President may order such  
9 balance conveyed to the Government of Iran.

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